



September 1, 1999

Theodore J. Kaczynski
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Dear Ted,

This letter follows on my letter of yesterday.

First, I wanted to let you know that I am indeed waiting for you to okay the first printing of *Truth versus Lies*. In connection to this, you have done more than the usual amount of work on the manuscript.

Generally, this is the stage where production editors (copy-editors compositors, and proofreaders) take over. Although it is expensive (10 dollars a page), we can make corrections supplied by you at the last minute (until October 5) as long as they do not change the pagination of the book (i.e., long deletions or additions). It may happen that more information will become available at some later point: I think we should consider a second edition in that instance. We could then add pages, make changes, etc. I am excited to get to work on your next project!

There was nothing in your corrections that I took issue with, and the changes will be entered this weekend. Miller will then read through the page proofs to make sure everything is okay from the legal standpoint. The few points upon which I waver are instances where you have supplied alternatives. So, if Miller wants a change, it's there. You are great!

I'm enclosing the excerpt that Talk wants to run. They have opted for some Harvard stuff and the mailbox correspondence. I think it's okay. Talk also wants to run the photograph of you, your father and Dave, as I mentioned in the postscript to yesterday's letter. In the event that you would like them to run the photo (there are no copyright restrictions on family photos) they will need your permission. Given the restraints of time, it would be best if you could either get a letter off to me with regard to these two points now, or call me before September 16 if you think your letter might take longer than that to get here.

On another point altogether: I've had a very hard time getting up to the mosque in Harlem where "the only translation worth reading" (Assad) can be purchased. I am going to have a more generic version sent to you today, and get the Assad later. I am sorry for the delay. It has been quite busy lately.

Also: Do you need money for postage, supplies, or photocopies?

Also²: I am looking forward to reading the essay you mentioned during the interview with Dubner. I'll write to the Green Anarchist for a copy when it comes out. This would also be good to get posted on the Internet eventually.

Also³: This letter is very rushed, because I want to get the enclosure off to you. More later. says, "Hello."

I hope you are well.

Finally,
Dean.

Subject: Kaczynski**Date: Thu, 02 Sep 1999 16:05:40 -0700****From: John Howard <jhoward@ap.org>****Organization: Associated Press****To: "beau@contextbooks.com" <beau@contextbooks.com>**

This will be published
in newspapers Sept. 7.
It's been a while since
I pitched this article,
but worth the wait.

-B.

gen den hln aln hfd bos<

^AM-CA--Centerpiece-Kaczynski's Struggle, Adv07,1480<

^\$adv07<

^An AP California Centerpiece=

^Handwritten court papers offer behind-the-scenes glimpse of Kaczynski<

^Eds: Moving in advance for use Tuesday AMs and thereafter<

^jhstfhomdwl<

^By JOHN HOWARD=

^Associated Press Writer=

? SACRAMENTO, Calif. (AP) _ Line by line, the handwritten court papers read like a second Unabomber diary, a catalogue not of Theodore Kaczynski's deadly attacks but of his relentless, secret struggle to affirm his sanity.

? "Your approach is this: You put a shrink or two on the stand to 'tell my story,' you expose publicly all the most intimate details of my life, and then you ask the jury to take pity on me because I've had it tough," an outraged Kaczynski wrote his lawyers in early 1997, nearly a year before he pleaded guilty to a 17-year bombing spree that killed three people and injured 23 others.

? "I categorically refuse," he told them, a refrain he repeated in a stream of memos, notes and telephone calls as he tried to control his legal defense.

? In public, his court-appointed defenders maneuvered desperately to paint him as insane, a strategy they believed offered the only hope of saving his life.

? But in secret, Kaczynski opposed his lawyers from the beginning, fruitlessly demanding to represent himself or at least change lawyers. He was ready to face execution, to be perceived as sane.

? Evil, perhaps, but sane.

? "The ultimate question in the Unabomber nontrial comes down to power, the allocation of power between a capital defendant and the court-appointed attorney," said Vermont law school professor Michael Mello.

? "When there is a fundamental difference about the goals of the defense, whose will prevails?" said Mello, who has authored a critically acclaimed work on legal issues raised by the case. "It's the defendant whose life hangs in the balance."

? In 200 pages written on notebook paper this spring from his Colorado prison cell, the former Montana recluse demanded a new trial _ a request that is pending before the 9th U.S. Circuit Court of Appeals.

? Kaczynski, 57, was sentenced to life without the possibility of release after he acknowledged responsibility for all the attacks in a guilty plea that abruptly halted the trial on the eve of opening arguments in January 1998.

? Now, acting as his own attorney, the former Montana recluse and Harvard-trained mathematics professor says his plea was coerced.

? Buried in the paperwork are intriguing glimpses into his personality, his thinking and the events surrounding his trial _ a perspective that was not available to the public while his case was under way.

? Unlike the well-known diary seized from Kaczynski's cabin, which logged terrorist acts with cold precision, these papers describe an emotional struggle, including a description of his attempt to hang himself in a Sacramento jail cell.

? On one level it is an arcane legal document, rife with stilted legalese and composed eerily in the third person.

? On another it is a personal journal, detailing for the first time his inner torment and the behind-the-scenes maneuvering of the defense team he

respected and mistrusted in equal measure.

? "Whatever else he may be, he is honest," said New York publisher Beau Friedlander, who visited Kaczynski recently in prison. Friedlander is publishing a book by Kaczynski, "Truth vs. Lies"; the proceeds will go to the victims' families.

? In letters to U.S. District Judge Garland Burrell Jr. and in closed-door meetings with the judge, Kaczynski tried to fire his defense team and be represented by Tony Serra, a prominent San Francisco lawyer. Above all, he sought to impugn his lawyers' attempts to question his mental stability.

? The judge refused, ruling that Kaczynski had failed to request a new defense team in a timely manner. Kaczynski now says his lawyers had refused for at least three weeks to forward his letters to the judge.

? "Kaczynski's attorneys used pressure, deception, intimidation and violent language to prevent Kaczynski from securing the services of J. Tony Serra, an attorney who would not have used a mental-status defense in Kaczynski's case," the Unabomber wrote in his appeal.

? Serra agreed.

? In a February 1998 letter to journalist William Finnegan, Serra said Kaczynski's defense team "utilized every device to keep me out of the case. Not just after Kaczynski announced he desired me to represent him, but months and months before that," Serra wrote.

? The letters and much of the rest of the material upon which Burrell based his decision remains under seal, but Kaczynski cites those and other documents in his request for a new trial.

? As the case unfolded in public, Kaczynski carefully detailed his thoughts in private, noting the "practical and psychological dependence that makes it difficult for an incarcerated defendant to resist the wishes of his attorneys."

? Described as corrosively honest by many who dealt with him, Kaczynski depicts himself as a man who is logical and cold, suspicious and contemptuous, rational and meticulous. By turns objective and passionate, intimate and detached, his words reflect his desperation to control his legal defense.

? He discusses his suspicions of defenders Quin Denvir, Judy Clarke, Gary Sowards and their associates, his futile efforts to have systematic access to newspaper accounts of his trial, his thwarted plan to hire Serra, his unhappiness with Burrell and his unbridled contempt — a contempt shared by some legal scholars — for a federal psychiatrist who described him in a provisional diagnosis as a "paranoid schizophrenic."

? At one point, he says, Clarke shouted during a telephone conversation with Serra's office that Kaczynski's "blood will be on your hands" if Serra took the case.

? Later, the Unabomber said Denvir visited Kaczynski in jail "and delivered to him an ill-tempered lecture in the course of which he worked himself up into an angry state and told Kaczynski that Serra 'was not a particularly good lawyer' but had become famous because he was 'a successful publicity hound.'"

? The defense attorneys declined requests to comment for this story. Their offices, however, provided Kaczynski with the documents he needed for his appeal.

? Some legal observers say that appeal stands a good chance. Both the defense and prosecution suggested as much during the pretrial hearings, saying Burrell's decisions to deny Kaczynski the right to choose a lawyer or represent himself created a fatal legal error that could open the door to a successful appeal.

? "There is an Alice in Wonderland quality to all this; the law was inside out. His own lawyers were staking his life on an argument that he would rather die than raise. The only person who could rein in his lawyers was Burrell, and he understood that very clearly," said Mello.

? "And the prosecution was arguing what Kaczynski wanted, that he was a serious person who committed his life to a course of action because of political ideology," said Mello, who has helped Kaczynski draft his request

for a new trial.

? Nowhere in his notes does Kaczynski show remorse for the crimes, which prompted the longest, costliest, largest manhunt in the nation's history. Nowhere is there empathy for the pain of his dead or maimed victims and their families, or even for the agony of his own family.

? His deepest desire is that his writings _ including the 35,000-word anti-technology treatise published before his arrest _ won't be dismissed as the ravings of a diseased mind.

? Kaczynski wrote his appeal from his 12-by-7-foot cell in the "Supermax" federal prison in Florence, Colo. _ a cell just slightly smaller than the remote Montana cabin where Kaczynski plotted his crimes for more than two decades until his arrest.

? He spends all but 90 minutes each day in the cell. He has access to a 9-inch black-and-white television and watches religious and educational programming on a cable hookup. Sunlight enters through a window five inches wide and 41 inches high. "He is treated like any other inmate," a prison officer says.

? In the highest-security area of the highest-security prison in the federal system, Kaczynski is once again able to control his public image, at least in these legal documents.

? It's much more to his liking than in the days before his guilty plea, when his frustrations over his defense drove him to try to hang himself in his cell in Sacramento, using the elastic band from his underwear.

? "When he applied the arrangement he had devised for strangling himself, he felt that his sight was growing dark and that he was losing consciousness, but too slowly, so that he feared he might perhaps be left with disabling brain damage," Kaczynski wrote.

? "He paced the floor for a long time, trying to work up enough nerve for a second attempt. As he was not allowed to have a watch, he had no idea of the time until he heard the sounds that indicated breakfast was about to be delivered. This meant that it was too late for another suicide," he wrote.

? ^End Advance<

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